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To: 15712738300

From: Fred Zollinger

Re:

Date: 2/9/2007 2:44:23 PM

Please enter the enclosed Amendment B and Renewed Petition in application 10/756,824.

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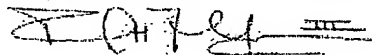
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Renewed Petition under 37 CFR § 1.78(a)(3)

Applicant: Myszka
Serial No.: 10/756,824
Filing Date: January 13, 2004
Examiner: Mohandesi, Jila M.
Art Unit: 3728
Confirmation No.: 2383

Mail Stop PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

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Fred H. Zollinger III, Reg. No. 39,438

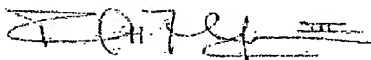
Sir:

A Revocation of Power of Attorney with New Power of Attorney and Change of Correspondence Address was filed via facsimile January 31, 2007. A copy is enclosed with this response. Please direct future correspondence to customer number 45069

The Applicant respectfully requests the renewal of the Petition under 37 CFR 1.78(a)(3) filed June 12, 2006, that was dismissed on January 4, 2007. The Applicant understands the Petition was dismissed because Amendment A added an improper incorporation by reference to the Cross Reference to Related Applications section of the specification. The Applicant is submitting an Amendment B with this response which amends the Cross reference to Related Applications section of the specification to remove the incorporation by reference language.

The Applicant thus respectfully renews its petition under 37 CFR § 1.78(a)(3) for the acceptance of an unintentionally delayed claim of priority under 35 USC § 120. The Applicant respectfully requests this petition to be accepted and the requested priority claim be entered in the application so that the present application may gain the benefit of the original January 24, 2001, filing date. A copy of the original Petition is enclosed.

Respectfully submitted,



Fred H. Zollinger III, Reg. No. 39,438

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Revocation of Power of Attorney with
New power of attorney
and
Change of correspondence address

Application Number: 10/756,824
Filing Date: January 13, 2004
First Named Inventor: Myszka
Art Unit 3728
Examiner Name Mohandesi
Attorney Docket: NX015e0cUSd

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Sir:

1. I hereby revoke all previous powers of attorney given in the above-identified application.
2. I hereby appoint the practitioners associated with Customer Number 000045069.
3. Please change the correspondence address for the above-identified application to the address associated with Customer Number: 000045069.

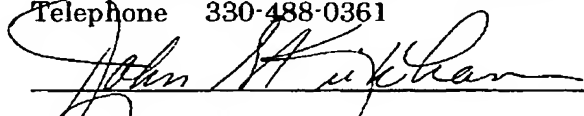
I am an authorized officer of the Assignee of record (Reel/Frame 013800/0693) of the entire interest of the application identified above.

SIGNATURE of Assignee of Record

Name: John Kirkham
General Manager
Industrial/Specialty Division of Nexpak Corporation
Telephone 330-488-0361

Signature

Date:



Jan 31, 2007

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Myszka
Serial No.: 10/756,824
Filing Date: January 13, 2004
Examiner: Mohandesi, Jila M.
Art Unit: 3728
Confirmation No.: 2383

Amendment B

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Applicant respectfully requests the entry of the following amendment in response to the Dismissal of the Petition dated January 4, 2007, and before the issuance of the next official action.

Amendments to the Specification

Please amend the specification at page 1, line 4 by replacing the first paragraph (the Cross Reference section) with the following paragraph:

This application is a continuation application claiming priority from US Patent 6,675,963 (application number 10/294,059 filed November 14, 2002) which issued January 13, 2004, which is a continuation application claiming priority from US Patent 6,516,945 (application number 09/769,033 filed January 24, 2001) which issued February 11, 2003.

Amendments to the Claims

1-18. (Canceled)

19. (Previously presented) In combination, a disc locking device and a media storage container adapted to receive a CD or DVD media disc; the CD or DVD media disc defining a central opening; the combination comprising:

- a media storage container having a base and a lid; the lid being hinged to the base and pivotably movable between open and closed positions with respect to the base in a book-like manner;

- the lid and base cooperating to define a storage chamber when the lid is in the closed position;

- the storage chamber being adapted to entirely receive a standard-sized CD or DVD media disc;

- a disc-retaining hub connected to the base and extending into the storage chamber of the container; the disc-retaining hub having a sidewall adapted to at least partially pass through the central opening of a CD or DVD media disc when the CD or DVD media disc is placed on the disc-retaining hub;

- the disc-retaining hub holding the CD or DVD media disc on the hub in a manner that allows the CD or DVD media disc to be removed from the disc-retaining hub and replaced on the disc-retaining hub;

- the disc-retaining hub having a central opening;

- a disc locking device adapted to cooperate with the disc-retaining hub to lock a CD or DVD media disc on the disc-retaining hub;

- the disc locking device including a locking device base and a locking device head configured to lock to the locking device base;

- the locking device base defining an opening;

- the sidewall of the disc-retaining hub surrounding and engaging a portion of the locking device base;

- the locking device head having an elongated member that extends through the opening of the locking device base to lockingly engage the locking device base; and

the disc locking device cooperating with the disc-retaining hub to prevent the CD or DVD media disc from being removed from the disc-retaining hub when the locking device base is locked to the locking device head.

20. (Previously presented) The combination of claim 19, further comprising a support surface disposed above the base to prevent the CD or DVD media disc from resting against the base when the CD or DVD media disc is disposed on the disc-retaining hub.

21. (Previously presented) The combination of claim 19, further comprising an EAS tag carried by one of the container and the disc locking device.

22. (Previously presented) The combination of claim 19, wherein the lid is pivotable between the open and closed positions when the disc-locking device is locking the CD or DVD media disc to the disc-retaining hub.

23. (Previously presented) The combination of claim 19, wherein the sidewall of the disc-retaining hub defines at least one protrusion having a portion adapted to be disposed over the CD or DVD media disc when the CD or DVD media disc is disposed on the disc-retaining hub.

24. (Previously presented) The combination of claim 19, wherein the locking device base is fixed with respect to the disc-retaining hub.

25. (Previously presented) The combination of claim 19, wherein the opening of the locking device base is disposed adjacent to the opening of the disc-retaining hub.

26. (Previously presented) The combination of claim 19, wherein the locking device base defines a shoulder; the disc-retaining hub engaging the shoulder.

27. (Previously presented) In combination, a disc locking device and a media storage container adapted to receive a CD or DVD media disc; the CD or DVD media disc defining a central opening; the combination comprising:

- a media storage container having a base and a lid; the lid being hinged to the base and pivotably movable between open and closed positions with respect to the base in a book-like manner;

- the lid and base cooperating to define a storage chamber when the lid is in the closed position;

- a disc-retaining hub connected to the base and extending into the storage chamber of the container; the disc-retaining hub having a sidewall adapted to at least partially pass through the central opening of a CD or DVD media disc when the CD or DVD media disc is placed on the disc-retaining hub;

- the storage chamber being adapted to entirely receive a standard-sized CD or DVD media disc when the media disc is disposed on the disc-retaining hub;

- the disc-retaining hub holding the CD or DVD media disc on the hub in a manner that allows the CD or DVD media disc to be removed from the disc-retaining hub and replaced on the disc-retaining hub;

- a support surface disposed above the base to prevent the CD or DVD media disc from resting directly against the base when the CD or DVD media disc is disposed on the disc-retaining hub;

- a disc locking device adapted to cooperate with the disc-retaining hub to lock a CD or DVD media disc on the disc-retaining hub;

- the disc locking device including a locking device base and a locking device head configured to lock together;

- the locking device base defining an opening;

- the sidewall of the disc-retaining hub surrounding and engaging a portion of the locking device base;

- the locking device head having an elongated member that extends into a portion of the disc-retaining hub and through the opening of the locking device base to locking engage the locking device base; and

the disc locking device cooperating with the disc-retaining hub to prevent the CD or DVD media disc from being removed from the disc-retaining hub when the locking device base is locked to the locking device head.

28. (Previously presented) The combination of claim 27, wherein the locking device base is fixed with respect to the disc-retaining hub.

29. (Previously presented) The combination of claim 27, wherein the locking engagement between the locking device base and locking device head is surrounded by the disc-retaining hub to protect the locking engagement from tampering.

30. (Previously presented) In combination, a disc locking device and a media storage container adapted to receive a CD or DVD media disc; the CD or DVD media disc defining a central opening; the combination comprising:

- a media storage container having a base and a lid; the lid being hinged to the base and pivotably movable between open and closed positions with respect to the base in a book-like manner;

- the lid and base cooperating to define a storage chamber when the lid is in the closed position;

- the storage chamber being adapted to entirely receive a standard-sized CD or DVD media disc;

- a disc-retaining hub connected to the base and extending into the storage chamber of the container; the disc-retaining hub having a sidewall adapted to pass at least partially through the central opening of a CD or DVD media disc when the CD or DVD media disc is placed on the disc-retaining hub;

- the disc-retaining hub holding the CD or DVD media disc on the hub in a manner that allows the CD or DVD media disc to be removed from the disc-retaining hub and replaced on the disc-retaining hub;

- the disc-retaining hub having a central opening;

- a disc locking device adapted to cooperate with the disc-retaining hub to lock a CD or DVD media disc on the disc-retaining hub;

the disc locking device including a locking device base and a locking device head configured to lock to the locking device base;

the locking device base defining an opening;

the sidewall of the disc-retaining hub surrounding and engaging a portion of the locking device base;

the locking device head having an elongated member that extends through the opening of the locking device base to lockingly engage the locking device base;

the locking engagement between the locking device base and locking device head being surrounded by the disc-retaining hub to protect the locking engagement from tampering; and

the disc locking device cooperating with the disc-retaining hub to prevent the CD or DVD media disc from being removed from the disc-retaining hub when the locking device base is locked to the locking device head.

31. (Previously presented) The combination of claim 30, wherein the locking device base is fixed with respect to the disc-retaining hub.

32. (Previously presented) The combination of claim 30, further comprising a support surface disposed above the base to prevent the CD or DVD media disc from resting against the base when the CD or DVD media disc is disposed on the disc-retaining hub.

33. (Previously presented) The combination of claim 30, wherein the lid is pivotable between the open and closed positions when the disc-locking device is locking the CD or DVD media disc to the disc-retaining hub.

34. (Previously presented) In combination, a disc locking device and a media storage container adapted to receive a recorded media disc; the recorded media disc defining a central opening; the combination comprising:

a media storage container having a base and a lid; the lid being hinged to the base and pivotably movable between open and closed positions with respect to the base;

the lid and base cooperating to define a storage chamber when the lid is in the closed position;

a disc-retaining hub connected to the base; the disc-retaining hub having a sidewall adapted to pass at least partially through the central opening of the media disc when the media disc is placed on the disc-retaining hub;

the disc-retaining hub holding the media disc on the hub in a manner that allows the media disc to be removed from the disc-retaining hub and replaced on the disc-retaining hub;

the disc-retaining hub having a central opening;

a disc locking device adapted to cooperate with the disc-retaining hub to lock the media disc to the disc-retaining hub;

the disc locking device including a locking device base and a locking device head configured to lock to the locking device base;

the locking device base defining an opening aligned with the opening of the disc-retaining hub;

a portion of the locking device base engaging and being disposed inwardly of the sidewall of the disc-retaining hub;

the locking device base being fixed with respect to the disc-retaining hub;

the locking device head having an elongated member that extends through the opening of the locking device base to lockingly engage the locking device base; and

the disc locking device cooperating with the disc-retaining hub to prevent the media disc from being removed from the disc-retaining hub when the locking device base is locked to the locking device head.


35. (Previously presented) The combination of claim 34, further comprising a support surface disposed above the container base to prevent the media disc from resting against the container base when the media disc is disposed on the disc-retaining hub

Remarks

The Applicant has amended the Cross Reference to Related Applications section of the specification to remove the "incorporation by reference" language that was added in Amendment A. The Applicant respectfully submits this amendment fulfills the requirements of the Petition to accept an unintentional delayed claim of priority.

The claims have not been amended in this amendment. The Applicant respectfully submits the claims are in condition for allowance.

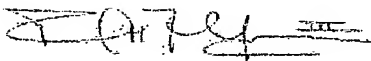
Please call the undersigned attorney if any issues remain after this amendment.



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Certificate of Mailing

I hereby certify that this correspondence (Amendment B in application serial no. 10/756,824 filed January 13, 2004) is transmitted to the United States Patent and Trademark Office facsimile submission number (571-273-8300) on February 9, 2007.



Fred H. Zollinger III, Reg. No. 39,438

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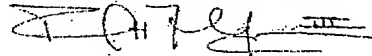
Petition under 37 CFR § 1.78(a)(3)

Applicant: Myszka
Serial No.: 10/756,824
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Fred H. Zollinger III, Reg. No. 39,438

The Applicant respectfully petitions under 37 CFR § 1.78(a)(3) for the acceptance of an unintentionally delayed claim of priority under 35 USC § 120. The entire delay between when the claim was due and the current correct claim submission was unintentional. The Applicant made a priority claim upon filing the present application by including a claim of priority in the application transmittal submitted with the application. The Examiner has indicated that the priority claim did not include the relationship between the present application and the parent applications. The Applicant has thus submitted an amendment accompanying this petition to state the correct priority claim on the first page of the specification.

The surcharge required under 37 CFR § 1.17(t) is enclosed.

The Applicant respectfully requests this petition to be accepted and the requested priority claim be entered in the application so that the present application may gain the benefit of the original January 24, 2001, filing date.

Respectfully submitted,



Fred H. Zollinger III, Reg. No. 39,438